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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,653	03/30/2001	Aamir A. Abbasi	CS10883	7663

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EXAMINER

NGUYEN, THUAN T

ART UNIT PAPER NUMBER

2685

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,653

Applicant(s)

ABBASI, AAMIR A.

Examiner

THUAN T. NGUYEN

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bauer (US Pub 2001/0024967 A1).

Regarding claim 1, Bauer discloses a portable electronic device comprising a user interface (Fig. 3 for a portable electronic device comprising conventional user interfaces such as a display and keypad/as items 2 & 3 & 6 for user interfaces); a lighting circuit including a light sensor to illuminate the user interface (Fig. 3/item 7 for a light-sensitive sensor, and page 1, section 0011), wherein a control circuit 6 having a delayed operation mode, i.e., a measurement of the elapsed time while detecting the user activation using the sensor, to determine whether a first activation of the user interface illuminates the user interface without performing any other operation of the device and a second activation of the user interface performs an operation of the device other than illuminating the user interface, i.e., as the user turns on the device in an area where the ambient light condition is enough, the user interface is automatically switching to a full display for the user to view and operate as normal, and as long as the user moves or uses the device, a motion sensitive sensor 8 detects the movement and allows

Art Unit: 2685

the user to operate the device other than illuminating the user interface (page 1, sections 0011-0014).

As for claim 2, Bauer discloses the terminal for mobile communication including a display and an input device (Fig. 3/ items 2-3 for the display and item 6 for a control input of the device, page 1, section 0011), wherein a control circuit 6 having a delayed operation mode, i.e., a measurement of the elapsed time while detecting the user activation using the sensor, to determine whether a first activation of the user interface illuminates the user interface without performing any other operation of the device and a second activation of the user interface performs an operation of the device other than illuminating the user interface, i.e., as the user turns on the device in an area where the ambient light condition is enough, the user interface is automatically switching to a full display for the user to view and operate as normal, and as long as the user moves or uses the device, a motion sensitive sensor 8 detects the movement and allows the user to operate the device other than illuminating the user interface (page 1, sections 0011-0014).

As for claim 3, this limitation is met as Bauer discloses a light sensor 7 detects the ambient light condition for generating an ambient light signal based on the ambient light condition (page 1, section 0014).

As for claims 4 and 5, these limitations are met as Bauer teaches that appropriate construction and programming of the device for different operating states can be performed by evaluating the ambient light conditions such as below a minimum illumination level —absent of the ambient light— or within a shorter duration by measurement of the elapsed time and by means of sensors, for switching the display to appropriate display levels (page 1, section 0014).

Art Unit: 2685

As for claims 6-20, these claims with same limitations as already addressed in claims 1-5 are rejected for the reasons given in the scope of claims 1-5 as disclosed above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Kosaka (US Patent 6,687,515 B1), Wong (US Patent 6,690,351 B1), Helms (US Patent 5,760,760), Wohl et al (US Patent 5,247,700), and Jacobsen et al. (US Patent 6,073,034) disclose portable electronic devices detecting ambient light conditions and illuminating the device accordingly.

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

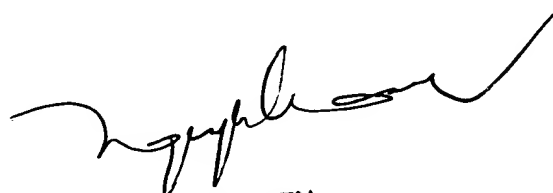
(703) 872-9306, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

Art Unit: 2685

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.



TONY T. NGUYEN
PATENT EXAMINER

Tony T. Nguyen
Art Unit 2685
June 18, 2004